

THE LAND PLANNING AND DEVELOPMENT (GUERNSEY) LAW, 2005

AND SECTION 19 OF THE LAND PLANNING AND DEVELOPMENT (GENERAL PROVISIONS) ORDINANCE, 2007

NOTIFICATION OF REFUSAL OF PLANNING PERMISSION

PROPOSALS: Change of use of agricultural land to domestic garden (860sqm), demolish existing carport and erect outbuilding/garage/workshop to south boundary.

LOCATION: Harmony Chalet, Grand Fort Lane, Les Gigands Road, St. Sampson.

APPLICANT: Mr M Neves

I refer to the application referred to below received as valid on 18/02/2026 regarding the above proposals as described more fully in the application and drawings referred to below.

Date of refusal of permission: 05/05/2026

Drawing Nos: Tailored Planning Solutions - MN:25:09-02B, Site plan-curtilage extension

Application Ref: FULL/2026/0212

Property Ref: B01086A002

The Development & Planning Authority has decided to refuse your application under the provisions of section 16 of the Land Planning and Development (Guernsey) Law, 2005 for the following reasons:-

1. The introduction of an outbuilding/workshop of the proposed mass, height, scale and design to be associated with a residential dwelling-house would be harmful to the character and appearance of the locality. The proposal does not represent 'good' design for the purposes of Policy GP8. In its current form, the development is sufficient to rebut the flexibility afforded to householders so that reasonable development aspirations can be met (Policy GP13). The development would be contrary to Island Development Plan Policies GP8 and GP13.

OTHER REMARKS:-**Right of appeal against planning decisions**

Your attention is drawn to the provisions of Section 68(1) of the Land Planning and Development (Guernsey) Law 2005, which provides a right of appeal, against a decision to refuse an application for planning permission or outline planning permission to the Planning Tribunal on the merits. An appeal to the Planning Tribunal under section 68 of the Law against this decision must be made before the expiry of the period of six months beginning with the date on which the Authority made this decision.

Copy of representations made

In reaching this decision the Development & Planning Authority took into account any written consultations made under Section 11(1) of the Land Planning and Development (General Provisions) Ordinance, 2007 ('the Ordinance'). A copy of any consultation responses made to the Authority under section 11 will be included with this decision in accordance with section 19 of the Ordinance.

A J ROWLES

Director of Planning
Planning Service



PLANNING APPLICATION REPORT

Application No: FULL/2026/0212
Property Ref: B01086A002
Valid date: 18/02/2026
Location: Harmony Chalet Grand Fort Lane Les Gigands Road Les Gigands Road St. Sampson Guernsey GY2 4FE
Proposal: Change of use of agricultural land to domestic garden (860sqm), demolish existing carport and erect outbuilding/garage/workshop to south boundary.
Applicant: Mr M Neves

RECOMMENDATION - Refusal with Reasons:

REASONS FOR REFUSAL

1. The introduction of an outbuilding/workshop of the proposed mass, height, scale and design to be associated with a residential dwelling-house would be harmful to the character and appearance of the locality. The proposal does not represent 'good' design for the purposes of Policy GP8. In its current form, the development is sufficient to rebut the flexibility afforded to householders so that reasonable development aspirations can be met (Policy GP13). The development would be contrary to Island Development Plan Policies GP8 and GP13.

OFFICER'S REPORT

Site Description:

The property known as 'Harmony Chalet' is a 1970's bungalow which is set back from and faces east onto Grand Fort Lane. The lane runs along the eastern boundary, there are neighbouring bungalows to the north and south and across the lane to the east, to the west is Northfield football clubs training ground at a higher level beyond the agricultural land that is within ownership of Harmony Chalet.

Relevant History:

There is no relevant history pertaining to this application.

Existing Use(s):

Residential use class 1: dwelling house.
Agricultural use class 28: agriculture.

Brief Description of Development:

This application is for a change of use of agricultural land to domestic garden (860sqm), and to demolish the existing single car port and erect a double bay 7.5m wide x 10m long x 6m high outbuilding/garage/workshop to the southwest of the main dwelling (9m x 12.5m).

Relevant Policies of any Plan, Subject Plan or Local Planning Brief:

GP8: Design

GP9: Sustainable Development

GP13: Householder Development

GP15: Creation and Extension of Curtilage

Representations:

There have been four letters of representation received and the issues are:

- A building of this magnitude would not sit comfortably in such a rural environment. From the plans provided it appears to resemble a light industrial unit and therefore would be out of place among the other bungalows in the lane and would be incongruous with the rural residential nature of Grand Fort Lane.
- The size and scale of the proposed application seem to be for a disguised commercial operation. Should the workshop be used for any commercial purpose in the future, whether legally or illegally, the resulting increase in vehicle movement in the lane would significantly disrupt access to the lane for residents.
- Whilst the application shows 'high insulation levels' to mitigate the risk of noise, there are likely to be additional environmental risks from the increased traffic, mechanical works and petrol/oil spillages.
- There is an understanding that there is a 3m wide 'right of way' along the whole of the property's southern boundary for access from the Northfield training field to Grand Fort Lane. The proposed development extends into this 3m wide right of way.

Consultations:

Agriculture, Countryside and Land Management Services (ACLMS)

'Since 2021 there has been a requirement for applications to change the use of land from agricultural to domestic to achieve an enhancement in biodiversity. The documents provided have not included an assessment of the current biodiversity value of the site however, existing information sources, including aerial photography and island wide Phase 1 habitat surveys, can be used to indicate the potential existing biodiversity value of the site.'

Aerial photographs indicate that the site is a frequently mown grassland which does not appear to have been cultivated (i.e., rotovated and resown) for at least 40 years, and contains a number of trees which were planted in the early 2000's. The 2018 Phase 1 habitat survey supports this – the site was classified the site as Amenity Grassland

surrounded by Planted Broadleaved Woodland. The mature trees and the permanent grassland are both considered to be important ecological features.

We note that the construction of the garage will encroach into the permanent grassland, resulting in a loss of some of this feature. We recommend that the disturbance is minimised to the smallest area necessary. Heras fencing or similar barrier may be required to prevent damage to the grassland beyond the area of construction, which could be stipulated in a CEMP and secured through a suitably worded planning condition.

We welcome the commitment to retain all existing hedging and trees, the addition of a native hedge to the northern boundary, and a log pile surrounded by tall grasses and ruderals.

*We note the intention to include a wildflower meadow however it appears this is to be located beneath existing trees and so is unlikely to be successful because the species listed are unsuited to such a shady location. We would recommend that either the location of the wildflower meadow is amended to a more suitable location or native woodland understory species are used instead (e.g., English bluebell (*Hyacinthoides non-scripta*), primrose (*Primula vulgaris*) or wood avens (*Geum urbanum*)). We recommend that any wildflower meadow is produced in line with the published Wildflower Guidance¹, which in this instance should follow the recommendations for permanent grasslands. I.e., it should not be cultivated and resown.'*

Summary of Issues:

- Design of the development.
- Impact of the development on the character and appearance of the area.
- Impact of the development on neighbouring properties.

Assessment against:

1 - Purposes of the law.

The objectives of the Law, as set out in Section 1(2), have been considered and this forms part of the assessment of policy issues as set out in 2 below.

2 - Relevant policies of any Plan, Subject Plan or Local Planning Brief.

The character and appearance of the area is very much open and rural with a few properties, mostly bungalows located along the access track. Although it is set back from the road, the size and scale of the proposed structure with high eaves and industrial/commercial appearance would be obtrusive and incongruous within this area, particularly when viewed between two bungalows where it would close the visual gap between the buildings which helps to maintain the open, rural character.

In addition, the height, scale and mass of the workshop, along with the industrial/commercial appearance is not considered appropriate in this location for a

domestic ancillary outbuilding. The size of the proposed structure goes beyond the scope of home working, or domestic hobby use, and no evidence has been submitted to demonstrate that there are no units capable of accommodating the floor space and use proposed in a more sequentially preferable area elsewhere.

The impact on neighbours is considered to be acceptable, although it is high and located close to the southern boundary, it is located to the north-west of the nearest neighbour and so overshadowing is not anticipated. There will be some visual and physical impact from the building due to the proximity to the boundary, however this is not considered significantly harmful as the neighbour benefits from excellent outlook in all other directions preventing an enclosing effect.

The change of use of the agricultural land to domestic garden is considered acceptable in principle in relation to Policy GP15 as the site is not located within the APA and is bordered by Northerners football club to the west and south. The proposed biodiversity enhancements are largely acceptable, although alternative species for the wildflower meadow would be more appropriate due to the shady location and could be conditioned, should the application be otherwise acceptable.

3 - General material considerations set out in the General Provisions Ordinance.

All material considerations as set out in the Land Planning and Development (Guernsey) Law, 2005 and the Land Planning and Development (General Provisions) Ordinance, 2007 have been considered in the assessment of this application. Where relevant the issues are considered in section 2 above.

4 - Additional considerations (for protected trees, monuments, buildings and/or SSS's).

The proposal would have no impact on Protected Buildings, Trees or Monuments or on SSS's.

Date: 05/05/2026